10/643,428

- 10 -

STATEMENT OF SUBST ANCE OF INTERVIEW

Applicants' attorneys, James M. Smith and Gerald P. Kazanjian, thank Examiner Dada for conducting the interview of January 11, 2008. A copy of this Amendment in draft form was informally presented to the Examiner prior to the interview for review. During the interview, the above amendments to the claims and the following remarks regarding rejection of the claims under 35 U.S.C. 102(b) as being anticipated by "Network Pump (NP) Security Target" by Andrew P. Moore (hereinafter, "Moore") were discussed. The Examiner stated the above amendments would require further consideration.

REMARKS

Applicants thank the Examiner for the withdrawal of the rejection of Claims 1-34 under 35 U.S.C. § 101 as being directed to nonstatutory subject matter. Claims 1-34 remain rejected under 35 U.S.C. § 102(b) as being anticipated by "Network Pump (NP) Security Target" by Andrew P. Moore (hereinafter, "Moore"). Claims 1-34 are pending, of which Claims 1, 13 and 25 are independent and are amended herein to more clearly set out the patentable subject matter. It is believed that the amendments do not substantially modify the claims because it previously was clear by implication that the acknowledgments are to the data being sent.

Without limitation to the claims, as illustrated in FIG. 1A, the low and high security assurance networks 150, 170 are coupled to each other via a network isolator 100 to facilitate end-to-end communication of data transfers from he low end network 150 to the high end network 170. However, no information relating to the high side 170 is transferred in the reverse direction from high 170 to low 150. As illustrated in FIG. 3, which is a diagram illustrating a network isolator (e.g., network isolator 100 of FIG. 1), to prevent information transfers from the high end to the low end, acknowledgments from the high end are not directly returned back to the low end. Rather, the high end network interface 120 is isolated from the low end network interface 110 by an acknowledgment trigger 130 coupled to an acknowledgment generator 140. In operation, the high end network interface 120 forwards high end acknowledgments, indicating receipt of data, from the high network 170 over the link 125 to the acknowledgment trigger 130 where further transmission of high end acknowledgments are terminated. To initiate the

generation of the low end acknowledgment, the acknowledgment trigger 130 transmits a trigger signal TRI, in direct response to the high end acknowledgment for said data, over the link 135 to the acknowledgment generator 140. The acknowledgment generator 140, in turn, generates the low end acknowledgment for said data. The acknowledgment generator then forwards the low end acknowledgment to the low end network interface 110 over the link 140 for transmission to the low end network 150.

Applicant's attorney acknowledges the error in the analysis of the operation of Moore's acknowledgment delay in the Amendment filed July 18, 2007. The Examiner's technical analysis of Moore's acknowledgment delay in the Response to Arguments of the present Office Action is correct. However, as set out below, Moore still does not anticipate the claimed invention.

Moore, as described on page 2, addresses the problem in a Store and Forward Buffer (SAFB) of the malicious exploitation of the timing of acknowledgments. Moore's Network Pump, described on pages 5-6 and illustrated in Figure 1 on page 2, prevents covert transmission of information by controlling the timing of acknowledgments sent across the Low LAN interface. The Network Pump randomly delays acknowledgments sent in response to messages received by the Network Pump from the Low Wrapper according to the moving average of the time it takes the High Wrapper to accept messages from the High LAN Interface and.

As described in step 2 on page 6 and supported by Figure 1 on page 2, the Network Pump receives a Data Message from the Low Wrapper and stores it because the Network Pump may be required to retransmit the Data Message to the High Wrapper if the Network Pump does not timely receive an acknowledgment from the High Wrapper. Without waiting for an acknowledgment from the High Wrapper, the Network Pump generates a Low acknowledgment delay based on the current value of the moving average. After this delay elapses, in accordance with the protocol set out on page 4 in section 2.1.. item 2, the Network Pump sends the acknowledgment to the Low Wrapper. Similarly, the High Wrapper will send a High acknowledgment to the Network Pump whenever the High Wrapper receives a Data Message from the Network Pump. As described in step 4 on page 6, the Network Pump later responds to the acknowledgment received from the High Wrapper by updating the value of the moving average and finally releasing all storage associated with the Data Message.

- 12 -

Moore does not anticipate the claimed invention. In order to anticipate a claim, a reference must teach each and every element of the claim. Moore, at least, fails to teach generating an acknowledgement trigger signal in direct response to the high end acknowledgment for said data. As a SAFB, Moore's Network Pump sends the acknowledgment to the Low Wrapper not after the High Wrapper receives the Data Message but after the Network Pump receives the Data Message, delayed. Thus, the Low acknowledgment for data is sent after the lapse of the Low acknowledgment delay independent of the Network Pump's receipt of a High acknowledgment from the High Wrapper for that data. Further, the Low acknowledgment delay for a particular Data Message in Moore is based on the current value of the moving average. The Network Pump updates the value of the moving average after receiving an acknowledgment from the High Wrapper. Thus, the moving average used to determine the Low acknowledgment delay for a particular Data message is calculated according to previous Data Messages not including the particular data message for which the delay is being calculated. Therefore, Moore does not teach generating an acknowledgment trigger signal in direct response to the high end acknowledgment for said data.

With regard to the Examiner's rejection of Claims 1, 13 and 25, Moore fails to teach generating an acknowledgment trigger signal in direct response to the high end acknowledgment for said data. For these reasons, the Examiner's rejection of Claims 1, 13 and 25 is overcome and reconsideration is respectfully requested.

With regard to the Examiner's rejection of Claims 2-12, 14-24 and 26-34, these claims are dependent on Claims 1 and 13, respectively, and therefore contain all the limitations of the respective base claim. For these reasons, the Examiner's rejection of Claims 2-12, 14-24 and 26-34 is overcome and reconsideration is respectfully requested.
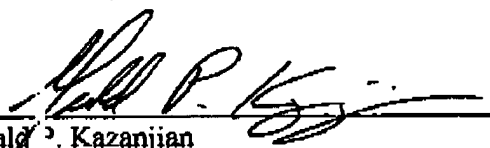
10/643,428

- 13 -

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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